

REMARKS

Claims 1-13 and 17-25 have been rejected. Claims 14-16 have been withdrawn from further consideration.

Claims 1-13, 17, 20-21, and 24-25 have been rejected under 35 U.S.C. 102(e) as being anticipated by Walker, U.S. Patent No. 6,418,415 (hereinafter "Walker '415").

Claims 18, 19, 22 and 23 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Walker '415 in view of Official Notice.

Claims 3, 7, 8, 10, 20 and 25 are herein canceled. Claims 1, 4-6, 9, 21-22 and 24 are amended.

The Rejections under 35 U.S.C. 102(e)

Claim 1 has been amended to include the limitations of claims 7 and 8. With respect to the limitations of claims 7 and 8, the Examiner mentions that in step 1302 of Fig. 13A of Walker '415, the aggregation engine receives predetermined parameters from another application. In Walker '415, the predetermined parameters received in step 1302 are a "description of

goods/services from a buyer" (Fig. 13A, step 1302) through the receipt by the central controller 200 (Fig. 1) of a CPO from a buyer (See Col. 12 lines 53-63). With respect to claim 8, the Examiner states that in Fig. 13B, step 1326 of Walker '415 is a demand aggregation application. However, in Walker '415, the predetermined parameters are received from a buyer, not from a demand aggregation application. Thus, amended claim 1 is believed to be allowable over the cited art.

With respect to claims 2-6, the Examiner cites to Walker '415 (column 6, line 64 to column 7, line 21) and Walker, U.S. Patent No. 6,085,169 (column 21, line 66 to column 22, line 25) in the rejection to these claims. Presumably, the Examiner's citation to Walker '169 is based upon the incorporation by reference of the parent application by Walker '415 to support the 102(e) rejection. These references mention the use of aggregation rules generally and provide examples of such rules. The examples are basically air travel between two designated cities. The rules mentioned are not a product ID rule as required by claim 2, but might be loosely defined as a classification-based rule. Thus, claim 3 has been canceled. No mention in the Walker references is made to any rule supporting UN/SPSC classification, e-class classification or hierarchical classifications, as required by amended claims 4, 5

and 6, respectively. As such, it is requested that these rejections be withdrawn.

Claims 7 and 8 have been canceled.

With respect to claim 9, the Examiner states that receiving the predetermined parameters in an XML-based format is shown in column 9, lines 57-62. There is no mention of XML in Walker '415. The only information mentioned there is that the buyer and sellers are connected via the Internet. Moreover, this claim is now based upon amended claim 1 which is believed to be allowable. Thus, it is requested that this rejection be withdrawn.

Claim 10 has been canceled.

Claim 11 has been rejected. The Examiner points to Col. 12, line 64 to Col. 13, line 15 as showing the validation of incoming data as required in claim 11. There is no mention of checking the validity of incoming data. Walker '415 merely talks of the use of legal language, credit cards, penalty fees and the like. The Examiner points to Figs. 13A-13C to show that the incoming data is processed to extract an aggregation rule and a demand. However, these figures show that the demand is

received from the buyer, while the rule resides on aggregation rules database 800 (See Step 1314). Thus, in Walker '415, the rule is not extracted from the incoming data as required by claim 11, but is retrieved from a local database. It is respectfully requested that this rejection be withdrawn.

With respect to claims 12 and 13, the Examiner has again pointed to Col. 9, lines 57-62 for support that Walker '415 teaches the use of XML. As mentioned above with respect to claim 9, it does not. Moreover, these claims are ultimately based upon claim 11 which is believed to be allowable. Withdrawal of the rejection of claims 12 and 13 is respectfully requested.

Claim 17 has been rejected. The Examiner equates both the process ID and the group ID with the CPO number 930 in Fig. 9 of Walker '415. The process ID and group ID are two separate identifications in the present application. The process ID identifies the aggregation rule used to create the group. See Paragraph 0042. The CPO number 930 in Walker '415 is merely a group ID and does not identify the aggregation rule used. Withdrawal of this rejection is respectfully requested.

Claim 20 has been canceled.

Claim 21 has been amended to clarify that the acquisition of missing attributes is automatic. The Examiner mentions that Walker '415 teaches determining if any attributes of said demands are missing and if so, acquiring said attributes from another source, citing to Fig. 13B, step 1318 and Fig. 13B generally. Step 1318 is merely the step to "determine if the received CPO meets the criteria specified in record 805 of the aggregation rules database 800." Col. 13, lines 21-23. In other words, it is the mere application of the aggregation rule to the demand. There is no mention or suggestion in Walker '415 of checking for missing attributes as described in the present application in paragraph 0047 nor is there any mention of automatically acquiring the missing attributes from another source. Thus, withdrawal of this rejection is respectfully requested.

Claim 24 has been amended to include the limitations of claim 25 and claim 25 has been canceled. Regarding the rejection of original claim 25, now incorporated in amended claim 24, the Examiner mentions that Walker '415 teaches determining if any attributes of said demands are missing and if so, acquiring said attributes from another source, citing to Fig. 13B, step 1318 and Fig. 13B generally. As discussed above with respect to claim 21, step 1318 is the mere application of

the aggregation rule to the demand. It is not a check to determine if attributes are missing. Furthermore, no acquisition of missing attributes is shown. The arguments above with respect to claim 21 are incorporated herein and withdrawal of this rejection is respectfully requested.

The Rejections under 35 U.S.C. 103(a)

With respect to claims 18 and 19, the Examiner mentions that manually adding demands and permitting manual closing of a coalition is "merely a step backwards in technology." This however, is not the case. In some instances, it may be advantageous to permit the manual addition of demands. Perhaps some of the attributes don't fit the aggregation rule precisely, but it is desirable to add a demand to a coalition anyway. Additionally, it may be advantageous to close a coalition early. Perhaps the seller will run out of stock of an item if additional demands are added to a coalition. Walker '417 does not offer this flexibility. Moreover, claim 17 upon which these claims are based is believed to be patentable. Thus, withdrawal of this rejection is respectfully requested.

Referring to claim 22, the Examiner mentions that Step 1314 analyzes demands by applying the aggregation rule. To

assist the Examiner, this step is merely the retrieval of the aggregation rules and step 1318 of Fig. 13B is the analysis through the application of the rules. The Examiner states that step 1316 in Fig. 13A shows that if the analysis of demands indicates that the demands meet criteria of one or more coalitions, then proposing the coalitions to the user. However, as mentioned above, step 1316 occurs before the analysis of demands provides an indication of whether any criteria of any coalitions are met. The aggregation rules have not been applied yet to determine if the individual CPO meets any of them. Moreover, in Step 1316 "the aggregate CPO database 900 is then searched ... for active aggregate CPOs that are similar to the received individual CPO." Col. 13, lines 17-20. While a Search is made, there is no mention of any proposing any coalition(s) to a user as required in the claim. The Examiner mentions that Walker '415 teaches permitting the user to assign demands to one or more coalitions in Step 1324 of Fig 13 B. Step 1324 merely permits a buyer to accept changes to the attributes in order to force the demand to fit into a coalition. See Col. 14, lines 4-5 ("A test is then performed during step 1324 to determine if the buyer agrees to modify the conditions.") Claim 22 requires that the coalitions the user is choosing from are coalitions into which the demand has already been determined to fit, whereas in Walker '415, there is no fit. The Examiner has also

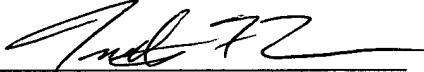
stated that Step 1344 of Fig. 13C shows that a new coalition is automatically created if the demands do not meet the criteria of any of the coalitions. However, Step 1344 of Walker '415 teaches the opposite. "If, however, it is determined during step 1342 that the buyer has not agreed to modify the original conditions of the CPO, then program control proceeds to step 1344, to process the original received CPO *individually* in a conventional manner." Col. 15, lines 12-16. Thus, a new coalition is not created in Walker '415. Instead, the individual demand is processed on its own. The Examiner also again mentions a "manual" limitation. No such limitation is present in the claim. The preamble mentioned "manually" input and was not intended as a claim limitation. Reference to "manually" in the preamble has been deleted. Thus, withdrawal of this rejection is respectfully requested.

With respect to claim 23, the Examiner states that Walker '415 teaches determining if any attributes of said demands are missing and if so, acquiring said attributes from another source, citing to Fig. 13B, step 1318 and Fig. 13B generally. As discussed above with respect to claim 21, step 1318 is the mere application of the aggregation rule to the demand. It is not a check to determine if attributes are missing. Furthermore, no acquisition of missing attributes is shown. The

arguments above with respect to claim 21 are incorporated herein. Additionally, this claim is based upon claim 22 which is believed to be allowable. The withdrawal of this rejection is respectfully requested.

In view of the above amendments and arguments, it is believed that this application is now in condition for allowance and such a notice is respectfully requested.

Respectfully submitted,

By:   
Timothy F. Loomis  
Reg. No. 37,383

Law Offices of Timothy F. Loomis  
2932 Hagen Drive  
Plano, TX 75025  
(972) 747-0706; (972) 747-9996 Fax